App F IX 4

Previous References

1948-49
(Ml)

File No 3-48
Serial Nos 12,13

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

P. 17
(K)

Part B for Oct 48

SUBJECT

Theft in the Octroi Office, Malavally Town Municipality

L 3759-61/D 10-10-48

Approves the recommendation of the D C

The ~~D~~ C Mandya Dist
" Forest, Ml Cl, Malavalli
" Comptroller to Govt

6775
M

From The Deputy Commissioner of
Mandya District, Mandya
Letter No AS 241/47-48 dated 6-5-1948

Reports theft of the theft that took place in the octroi office of the Malavalli Mcpl and requests Sanction to the payment of the value of the stolen goods Rs 264-2-0 to the cloth merchants concerned out of the M funds in the first instance and to the recovery of a portion thereof from the officials in instalments as suggested by the Pdt of the Mcpl

1) Sated It is seen that the theft occurred in the octroi office of the Malavalli Mcpl on 26-7-1947, that ~~valued~~ valuable properties viz 29 ~~pcs~~ pieces of cloth valued at Rs 264-2-0 ~~was~~ belonging to some local merchants were found missing and that the theft occurred owing to the negligence & carelessness of the octroi Manager & two peons who were on watch & ward duty at the octroi office

2) It is also stated that there is no probability of tracing the lost prop

2)

6775/M

and that the value thereof has to be made good by the MC to the law merchants concerned in the first instance and that a sum of Rs 122-1-0 being a portion thereof may be recovered from the officials responsible

3) Whereas the MC by excepting one member who dissented from other councillors resolved that Rs 132-1-0, being half the cost of the lost property may be recovered from the officials Mr Navaratnam who dissented from the resolution of the MC contended that the entire cost has to be recovered from the officials concerned

4) ~~Whereas~~ the MC has sustained a loss owing to the negligence & carelessness of the officials which fact ~~is to be~~ seems to require no further investigation under the circumstances as contended by Mr Navaratnam, one of the councillors, the entire cost will have to be made good by the officials concerned ~~as otherwise no staff will be secured for the~~ to secure the staff for the interest of ~~the~~ public ~~work~~ property

6775-III

and discharge of public duty so that

Such

bs 12/5/48 5) Even Half the cost of the child

JST 13/5 Comp up Rs 13/4/- The

amt proposed to be recovered

as 12/4/- for the three yrs. What

about the values ? What are its

estimating cures at the end of the year

Value last after

for instances

17/5/48

6) Sched with a dft for appl

bs 12/5/48

Received for

17/5/48

nil Afpsd

S -

18/5

Issue

for 18/5/48

To,

The Deputy Commr Mandya Dt

No L17294/3-6-48

Calls for certain information on

Sub A

7-6-48

4)

6775/ml V 1791/ml

Theft on the office Nallavalli Town Municipality

From

The Dy Commr, Nellore Dt

No A 5-241/47-48 Dt 25 8 48

Forwards his report on the matter

8) The amount to be recovered from the Staff is corrected as Rs 132-1-0

The Municipality for the Municipal Council to take a lenient view and remit only half the cost to be recovered from the Staff is stated to be the absence of a bonded warehouse at the place and the consequent dumping of articles in the Municipal office of the owners [illegible] when duty was not paid, without clearance for days together

9) The Dc Requests orders for payment of the entire amount from the Municipal funds and recovery of half the amount from the Penal responsible ones

Submitted for orders

10) Submitted for orders

Rc 3/9/48 11) The Presidents letter of 4-8-48 is for perusal. It is stated there that articles were there at owners risk and the resolution to remit a part of them cost was arrived at only to instil some responsibility in the minds of

Theft on the estate of Mr Nallasalle Kesavapanicker

the Staff. There does not seem to be any reason at all why the Municipal Council should step out of its way and shoulder the burden of paying the other half of the loss which by the way is not unsubstantiable.

For 3-9-48 12) Pl note the financial condition of the Municipality for 48-49

for 4/9/48

13) The abstract figures of the Budget for 48-49 are as follows -

Opening Balance	—	Rs 7,683/
Receipts	—	Rs 56 918/
Total	-	Rs 64 601/
Expenditure	-	Rs 54 453/
Closing Balance	-	Rs 10 148/

Note 7/9/48 For 7-9-48 14) The arguments advanced by the President, Mr Kovalli Damodhar as to why the M/s should pay the balance of Rs 1321/- out of the amount, the other half being recovered from the employees are not at all convincing. It is not certain correct to say that

6) 1791 Theft in the Malavalli Town Municipality

The articles were left in the office at the workers' risk as they were left there because the municipality allowed them (articles) to be left there. The negligence of staff cannot be a reason to fix responsibility on all employees, there is no reason why the entire amount should be recovered from these responsible persons only the taxpayers should be made to pay the same. The financial condition of the Municipality is not also quite satisfactory in view of the above facts, it is for consideration of the Govt whether the entire amount should be recovered from the alleged employees responsible for the loss.

received for
8/9/91

The D C recommends sanction to the payment of the value of the stolen goods out of the municipal funds in the first instance and to the recovery of the half the amount from the officials responsible in instalments. The case may perhaps be approved

(Memo dtd 2-5-91)

13/9 Sd/- 19/9

2857

OFFICE OF
THE MINISTER FOR
LOCAL SELF GOVERNMENT
No 1293
SSC
Date

DD for PP Foreign

Theft in Nallavalli Town Municipality (7)

App F III-2

General and Revenue Secretariat

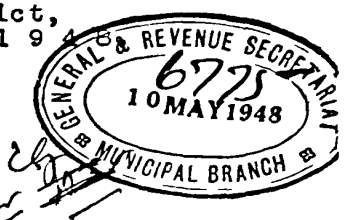
File No 1791/md of 1948 9

Serial No	
	Off Go re setup for approval.
	W. 19/11/48 Pr 24/11/48
	Issue 25/11/48
	G.O. No. L 3759-61/md 3-48-13 dt 10.10.48 Sanctions the proposal
	To, The Dc Mandya & 2) Comptroller to Govt 3) Pronduct Nallavalli Town rel el
B 9.11.48	

Note —Contn Sheet

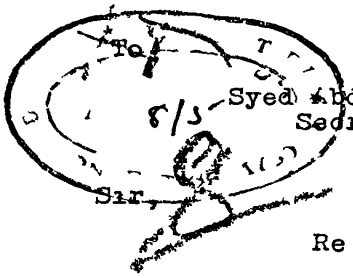
241 /47-48
No A5-5913-384/39-49

Office of the Deputy Commissioner,
Landya District,
Mandya, dated 6th May 1 9 4 8



Encl Records
From

K Mohamed Ahmed, Esqr , B A ,
Deputy Commissioner,
Mandya District, Mandya



To

Syed Abdul Aleem, Esqr , B A ,
Secretary to Government,
Revenue Department, Bangalore

Sir,

Re Theft in the Octroi Office- Malavalli Municipality

In enclosing herein the entire file of records relating to the above received from the President, Town Municipal Council, Malavalli with his report ending with No O C 22/47-48 dated 30-3-48, I have the honour to state that it was found after enquiry by the police that 29 pices of cloth worth Rs 240-2-0 were found missing, 20 of which belonged to One Abdul Ghani and 9 to Khalandar Sheriff alias Babjan The President has reported that the theft has occurred on account of the negligence of the Octroi Manager, M C Chowde Gowda and the two peons -Sidda and Amir Khan who were on watch and ward duty. They were careless and negligent in the discharge of their duties particularly when valuable properties were in the Octroi Office pending completion of the -investigation, by the Police All the three officials were placed under suspension On the report of the police Inspector, 2 peons and the - Octroi Managerm were not required by him for enquiry The suspension order against these three was cancelled and they were taken back to duty

When the application of M/s Abdul Ghani and Kalandar, praying for the payment of Rs 187-5-3 and Rs 81-7-9 respectively being the value of stolen articles, was received, the President requested the ~~Dixxx~~ Police Inspector to intimate the stage at which the case stood In reply the Police Inspector stated that the stolen properties were not traced and that there was no chance of getting the same and that therefore the case had to lie over ~~the~~ "C" ~~xxxx~~ report When the subject was placed before the Municipal Council at their meeting held on 29-2-48 except Mr K Narasimhiah, the other Municipal Councillors stated that ~~the~~ total value of Rs 264-2-0 (as per statement enclosed for details) half the amount viz , Rs 132-1-0 might be paid from the Municipality and other half - recovered from the officials, who were negligent in their work as detailed in the margin *

Mr K Narasimhaiah, contending that the entire amount must be recovered from the officials concerned, In this connection, the President has reported that eventhough the responsibility is fixed on the above official the entire amount will have to be paid from the Municipal Funds first, as the cloth merchants are pressing for the payment and recovered from the Official at Rs 5/- per month in the case of - Octroi Manager and at Rs 3/- in the case of 2 peons in their salaries

M C Chowde Gowda	Octroi Manager	Rs 61-0-6
Siddiah	Octroi Peon	Rs 30-8-3
Amerkahn	Office Peon	Rs 30-8-3
		122-1-0

In the fore-going circumstances, I request you kindly to ~~m~~obtain orders of Government with regard to the payment of the value of the stolen goods out of the Municipal funds in the first instance and recovery of a portion thereof from the officials responsible in instalments as suggested by the President

I have the honour to be
Sir,
Your most obedient servant,

DEPUTY COMMISSIONER,
MANDY DISTRICT

G3S 2

draft for approval

L 17294 Encl Records

– to 8336 dp

The deputy Commissioner
Mandya District

Sir,

Re Theft in the octroi office
Malavalli Town Municipality

With reference to your
letter No^As 241/47-48, dated 6-5-48
on the above subject, I
am directed to state that
~~even~~ half the cost of the cloth
~~produce to be recovered~~ lost, comes to Rs 132/-, ~~that~~ the
total of the amounts proposed to be
recovered from the three
officials ~~is~~ come to only Rs 122/- and
to request you to state whether
the balance would also be ~~met~~
borne by the MC in addition to the
other half
In this, what are the extenuating
circumstances ~~to~~ that

3/

~~That~~ only half the value of the
lost articles should be recovered, ~~from~~ in full
from the parties responsible to the loss, may be ascertained
from the MS ~~and stated forwarded~~ intimated
~~+ dates to~~ of ~~the~~ with
your ~~definite~~ opinion ~~thereon~~
records accompany for reference & return

Chancellor

Exr
28/5

from The Revenue Secretariat

F.
263 48 18

Exhs 14

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore 3 6 1948

No L 17294/ Genl Recds

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore
Revenue Department

To

The Deputy Commissioner,
Mandya District, Mandya

Sir,

Subject - Re Theft in the Octroi Office, Malavalli Town Municipality

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With reference to your letter No A5 241/47-48 dated 6th May 1948 on the above subject, I am directed to state that half the cost of the cloth lost, comes to Rs 132-1-0 while the total of the amounts proposed to be recovered from the three officials comes to only Rs 122-1-0 and to request you to state whether the balance will also be borne by the Municipality in addition to the other half Further, what the extenuating circumstances are that only half the value of the lost articles should be recovered from the parties responsible for the loss and not in full may be ascertained from the Municipality and intimated with your opinion in the matter

Records accompany for reference and retransmission

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Government,
Revenue Department

Tvr/2

1791

Mk 3-48-12

No AD 241/47-48
Encls (2)

Office of the Deputy Commissioner,
Mandya District, Mandya,
Dated ~~xxxx~~ August, 1948

GENERAL & REVENUE SECRETARIAT
15 SEP 1948
1791
MUNICIPAL BRANCH

From

Janab K Mohammed, B A ,
Deputy Commissioner,
Mandya District,
M a n d y a

REV SUB SECTT
30 (8

Janab Syed Abdul Azeem, B A ,
Secretary to Government,
Revenue Department
B a n g a l o r e

Sir,

Re Thefts in the Octroi Office, Malavally
Town Municipality

With reference to your letter No L 172-9x dated 3-8-48 on the above subject, I have the honour to enclose herein a copy of letter No O & 22/47-48 dated 2-8-48 together with a copy of the resolution of the Municipal Council dated 5-7-48 received from the President Municipal Council, Malavally and to request you in the circumstances detailed by the President, kindly to obtain orders of Government to the payment of the value of the stolen goods out of the Municipal Funds in the first instance and to the recovery of half the amount from the Officials responsible, in instalments as already recommended in my previous letter

I have the honour to be,
Sir,
Your most obedient Servant,

for DEPUTY COMMISSIONER,
MANDYA DISTRICT

K A R

Letter No Ce 22/47-48 dated 4-8-48 from the President, Town Municipal Council, Malavalli, to the Deputy Commissioner, Mandya District, Mandya

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Subject :- Theft in the Octroi office at Malavalli Town Municipality

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With reference to your memo No A5 241/47-48 dated 9th June 1948 forwarding a copy of letter NolL 17294 dated 3-6-48 received from the Secretary to Government, Revenue Department Bangalore addressed to you in the matter of the recovery of Rs 132-1-0 being the loss of articles in the Octroi Office ofthis Municipality from the staff, I beg to state that there seems to be some typographical error in respect of the amount to be recovered The Municipal Council have resolved at their meeting held on 29-2-48 for the payment of half the cost of the articles lost from the Municipal funds and recovery of the other half from the officials responsible for negligence in their duty This resolution has been supported by all the members present at the meeting with the exception of Sri K Narasimhaiah who suggested for the recovery of the amount in full from the Municipal Staff concerned As majority of the people opted for the recovery of half the cost of materials lost, recommendation was made for recovery of Rs 132-1-0 only from the officials concerned for the loss and not Rs 122-1-0 as pointed out in the letter dated 3-6-48 referred to above by the Secretary to Government, Revenue Department

As regards the extenuating circumstances under which such a course of action is contemplated viz , recovery of the value of lost articles suggested was due to the want of existance of a bonded ware house attached t the Municipality This Municipality has no bonded ware house and whatever dutiable articles are passing through the Municipal area and wher the duty is not paid by the owner immediately they brought in and kept in the office at the owner's risk

As the provision stands the owners ought to have paid the octroi due on the articles on the same day and cleared off his articles instead of dumping itin the Municipal Office and walking away carelessly No acknowledgement was given by any of the staff of the Municipal Office to the owner of the property Hence I see no reason for recovery of even half the cost of the articles from thestaff and payment of other half from the Municipal funds

As the Municipal Council took a lenient view of the affairs and wanted to encourage the local merchants for pushing through his business and to have a threat over the staff so that there may be no negligence on their part in watch and ward the resolution cited above have been arrived at

Hence I request that orders of Goverument for the approval of the resolution of the Municipal Council already held on 29-2-48 may kindly be obtained

xxxxxxxxxxxxxxxxxxxxxxxxxxxx

"Copy"

Deputy Commissioner,
Mardya District

G R S App F VI—G 2]

SUBJECT

Ethack from the proceedings of the Meeting of Malavalli Town Municipal Council held on 5th July 1948 at 4 p m (7)

Present
12 Members

Present
9 Members

8) అధ్యక్షులు ఉపన్యాసమున్న తర్వాత ఇంద బల్లి బాబు ఇచ్చిన తీర్మానమును మళ్ళియు చదివి వినిపించి మా॥ కొడబళ్ళి శ్రీనివాసరావు చేసిన బలపరచిన మీదట తీర్మానము ఏకగ్రీవముగా ఆమోదించబడినది

Resolution

మా॥ నరసింహయ్యగారు ప్రొసిడింగ్సు చదువుచుండగా కొందరు కౌన్సిలర్లు లేచి వెళ్ళిపోవుట వలన కోరమ్ లేకపోవుట గమనించి, ఇవ్వబోయే తీర్మానము ఏకగ్రీవముగా ఆమోదింపబడుటకు కౌన్సిలర్లు అందరూ ఉండవలసినదిగా ప్రార్థించి అట్లు ఉండకపోవుట వలన ఈ సమావేశము ఇంతటితో ముగించి వాయిదా వేయవలసినదిగా ప్రార్థించుచున్నాను

Ethack
(Sd) Ramaswamy Iyengar
Town President
Town Municipal Council
Malavalli

(Sd) C S Rama Swamy Iyengar
Town President
7-48 Town Municipal Council
Malavalli

G R S App F VI—G 2]

SUBJECT

8

Diary No of letter replied to 1791/mc

General and Revenue Secretariat

( )

the 194

Date of issue 10-10-48 194

Signed by

May this be—

(i) printed? Belonging to Certain Local arenders

(ii) treated as a Standing Order?

(iii) published in the Gazette English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette Kannada Part?

Section Mc

File No 3-48

Serial No 13

Proceedings of the Government of His Highness the Maharaja of Mysore

Read— Correspondence ending with letter No A S-241/47-48 dated 25 8 48 from the Dy Comm a Kheda Mandya District, stating that 29 pieces of cloth valued at Rs 264-2-0 ~~240-2-0~~ were recovered from persons suspected in connection with the Malavalli dacoity case and that the culprits being traced, and the merchants concerned having demanded payment of the value of the stolen articles, the Malavalli Town Municipal Council at its meeting held on 3-7-48 ~~29-7-48~~ resolved that half the amount be recovered from the officials responsible for, the other half being

+

9)

paid from out of the Municipal funds, and Requesting in the circumstances stated, Panchayat amounting to Rs 264/4/- to the payment of the entire value of the Stolen goods out of the Municipal funds in the first instance, Subject to the Recovery of half the amount from the Concerned officials later on case by case basis

order No. 3759-6/ 10-10 48

The Recommendation of the D C is approved Necessary funds be effected regularly & credited to the Municipal

for Sec to Govt
Rev Secy
Ca 22/9 Rec'd 9 48

To

1) The D C, Mandya
2) Prest, Town Municipal Council Malavalli
3) Comptroller & Govt

List of Enclosures

Copied by

Examined by

10

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Read -

Correspondence ending with letter No A 5 241/47-48 dated 25th August 1948 from the Deputy Commissioner, Mandya District, stating that a theft of 29 pieces of cloth valued at Rs 264-2@0 belonging to certain local merchants occurred in the Malavalli Octroi Office without the culprits being traced and that the Merchants concerned having demanded payment of the value of the stolen articles, the Malavalli Town Municipal Council at its meeting held on 5th July 1948 resolved that half the amount be recovered from the officials responsible therefor, the other half being paid from out of the Municipal Funds, and requesting in the circumstances stated, sanction to the payment of the entire value amounting to Rs 264/2/- of the stolen goods out of the Municipal Funds in the first instance, subject to the recovery of half the amount from the concerned officials later on in easy instalments

Order No L 3959-61/Mnh 3-48-13

Dated, Bangalore the 10-10-48 Sept 1948

The recommendation of the Deputy Commissioner is approved Recoveries should be effected regularly and credited to the Municipal Funds

for Secretary to Government
Revenue Department

To

The Deputy Commissioner, Mandya District
" President, Town Municipal Council, Malavalli
" Comptroller to Government

GR 4